

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7555

BENJAMIN L. DOYLE,

Plaintiff - Appellant,

versus

DOCTOR LIGHTSEY; NURSE BOONE; SELMA TOWNES,
Superintendent; SUPERINTENDENT GINN; ASSISTANT
MURRAY,

Defendants - Appellees,

and

DEPARTMENT OF CORRECTIONS; CRAVEN CORRECTIONAL
INSTITUTION,

Defendants.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. Malcolm J. Howard, District
Judge. (CA-03-64)

Submitted: December 11, 2003

Decided: December 23, 2003

Before NIEMEYER and MOTZ, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

Benjamin L. Doyle, Appellant Pro Se. Dana Hefter Davis, Raleigh, North Carolina; Melissa R. Garrell, TEAGUE, CAMPBELL, DENNIS & GORHAM, Raleigh, North Carolina; Elizabeth F. Parsons, OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Benjamin L. Doyle seeks to appeal the district court's orders: (1) dismissing his claims against the Department of Corrections and Craven Correctional Institution as frivolous; and (2) denying his motion for appointment of counsel. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2000), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2000); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The orders Doyle seeks to appeal are neither final orders nor appealable interlocutory or collateral orders. Accordingly, we dismiss the appeal for lack of jurisdiction. We deny Doyle's motion for appointment of counsel. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED